

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT SEATTLE

SANTIAGO ORTUNO PEREZ,

Petitioner,

v.

IMMIGRATION AND CUSTOMS
ENFORCEMENT FIELD OFFICE
DIRECTOR,

Respondent.

CASE NO. 2:23-cv-01527-DGE

ORDER ON REPORT AND
RECOMMENDATION (DKT. NO. 6)

This matter comes before the Court on the Report and Recommendation of United States Chief Magistrate Judge David W. Christel. (Dkt. No. 6.)

On February 1, 2024, Judge Christel issued a Report and Recommendation on Respondent's motion to dismiss, advising that the controversy was moot and dismissal was appropriate. (Dkt. No. 6.) The Clerk of the Court mailed a copy of this Report and Recommendation to Petitioner Santiago Ortuno Perez, indicating Petitioner had 14 days to object. (Dkt. No. 7 at 1.) On February 20, 2024, the letter was returned as undeliverable. (*Id.*)

1 A party proceeding *pro se* shall keep the Court and opposing parties advised as to his or
2 her current mailing address. LCR 41(b)(2). If mail directed to a *pro se* petitioner by the Clerk
3 is returned by the Postal Service, and if such petitioner fails to notify the Court and opposing
4 parties within 60 days thereafter of his or her current mailing address, the Court may dismiss the
5 action without prejudice for failure to prosecute. *Id.*

6 More than 60 days have elapsed since mail directed to Petitioner was returned
7 undeliverable and Petitioner has failed to provide the Court with a current mailing address.
8 Accordingly, the Court DECLINES to adopt the Report and Recommendation and instead
9 DISMISSES the above-captioned action without prejudice for failure to prosecute.

10 Dated this 23rd day of April 2024.

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13 David G. Estudillo
14 United States District Judge
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